

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES SECURITIES AND EXCHANGE COMMISSION	:	
	:	
	:	
Plaintiff,	:	
	:	
vs.	:	
	:	
STEFAN QIN, VIRGIL TECHNOLOGIES LLC, MONTGOMERY TECHNOLOGIES LLC, VIRGIL QUANTITATIVE RESEARCH, LLC, VIRGIL CAPITAL LLC, and VQR PARTNERS LLC,	:	
	:	
Defendants.	:	
	:	
	:	

DECLARATION OF AMANDA L. STRAUB

I, Amanda L. Straub, do hereby declare under penalty of perjury, in accordance with 28 U.S.C. §1745, that the following is true and correct, and that I am over 18 years of age and I am competent to testify to the matters stated herein:

1. I am a member of the Bar of the State of New York and I am a resident of California.
2. I am employed as an attorney in the San Francisco Regional Office of Plaintiff United States Securities and Exchange Commission (“Commission”). I have been employed by the Commission as an attorney since 2012. Among other things, the federal securities laws authorize the SEC to conduct investigations to determine whether federal securities laws have been violated and to bring civil actions before the United States District Courts to enforce and secure compliance with those laws.

3. As part of my job duties at the Commission, I am responsible for conducting fact-finding inquiries and investigations to determine whether the federal securities laws have been, are presently being, or are about to be violated.

4. I make this Declaration based upon personal knowledge. The sources of my information include documents obtained by the staff of the Commission's Division of Enforcement (the "Staff"), and information provided to me pursuant to a Commission Formal Order of Investigation and subpoenas issued under that authority on December 16, 2020. Because I am submitting this Declaration for the limited purpose of supporting the U.S. Securities and Exchange Commission's *ex parte* emergency application, I have not set forth each and every fact that I know about this matter.

5. As part of my duties, beginning in December 2020, I was assigned to participate in the investigation captioned In the Matter of Virgil Capital LLC (SF-04428).

Temporary Account Holds at Digital Asset Trading Platforms

6. On or about December 11, 2020, the Staff became aware that over \$21 million in digital assets of VQR Multistrategy Fund L.P. had been transferred to an account at a digital asset trading platform known as Kraken. Kraken agreed to impose a temporary hold preventing withdrawals from the relevant account. That hold is currently set to expire on December 23, 2020.

7. Kraken has informed the Staff that Stefan Qin has been in very frequent contact seeking to withdraw money from the account in question.

8. On or about December 15, 2020, the Staff became aware that approximately \$4 million in additional digital assets of VQR Multistrategy Fund L.P. had been transferred to an account at Coinbase, Inc., another digital asset trading platform. Coinbase agreed to impose a temporary

hold preventing withdrawals from the relevant account. That hold is currently set to expire on or around December 23, 2020.

“Exchange Balance” Spreadsheet for Virgil Sigma Fund, LP

9. As set forth in the Declaration of Carey Harrold, ¶ 9, in a July 17, 2020, email, the operations manager of Sigma Fund, L.P. emailed Mr. Harrold a link to a spreadsheet entitled “Exchange Balances 1 Jan – 31 Dec 2019” (“Exchange Balances Spreadsheet”) as one of several documents “all put together as part of the K-1 process for our investors.”

10. The rows of the Exchange Balances spreadsheet form a list of 39 entities that are known to the Staff to be digital asset trading platforms. *See* Harrold Ex. 3. Each column lists a date: 31-Dec-18, then the first day of every month of 2019, and, finally, December 31, 2019. Each row with a digital asset trading platform lists sums of money corresponding to each date.

11. Three rows on the Exchange Balances Spreadsheet are titled “Kraken,” “Coinbase Pro,” and “Gemini,” which appear to be references to the digital asset trading platforms.

12. On the spreadsheet, the “Kraken” row shows a balance on the first day of each month of 2019, ranging from \$304,000 to \$3.9 million. The amounts average \$1.99 million.

13. The “Coinbase Pro” row also shows a balance on the first day of each month of 2019 ranging from \$517,000 to over \$4 million. The amounts average \$2.29 million.

14. The “Gemini” row similarly shows a balance on the first day of each month of 2019 ranging from \$999,000 to over \$4 million. The amounts average \$2.15 million.

Accounts at Payward Ventures, LLC, d/b/a Kraken Exchange

15. On December 16, 2020, the Staff issued a subpoena to Payward Ventures, LLC, d/b/a Kraken Exchange, for certain account records related to Virgil Capital LLC, Virgil Sigma Fund L.P., and other related persons and entities. Kraken produced records the following day.

16. While Kraken's records revealed a number of accounts at Kraken existed relating to VQR Partners LLC and/or VQR Multistrategy Fund L.P., there was only one account potentially associated with either Virgil Capital LLC or Virgil Sigma Fund L.P. The account was opened in February 2018 in the name of Virgil Sigma Fund L.P.

17. Account records for the Virgil Sigma Fund LP account indicate that the account has not had a successful login since November 1, 2018. The records further reflect that there was a \$10,000 deposit into the account on August 14, 2018, and no further activity has occurred in the account to date.

Accounts at Coinbase, Inc.

18. On December 16, 2020, the Staff issued a subpoena to Coinbase, Inc. for certain account records related to Virgil Capital LLC, Virgil Sigma Fund L.P., and other related persons and entities. Coinbase produced records the following day, and provided additional records on December 21, 2020.

19. Coinbase located several accounts relating to VQR Partners LLC and/or VQR Multistrategy Fund L.P. There were also several individually titled accounts potentially related to Virgil Capital LLC or Virgil Sigma Fund L.P., as their associated email addresses used the email domain name associated with Virgil Capital LLC. No accounts bore the names of either entity, however.

20. None of the individual accounts potentially related to Virgil Capital LLC or Virgil Sigma Fund L.P. showed any deposits or withdrawals, or any trading activity whatsoever.

Accounts at Gemini Trust Co. LLC

21. On December 17, 2020, the Staff issued a subpoena to Gemini Trust Co. LLC for certain account records related to Virgil Capital LLC, Virgil Sigma Fund L.P., and other related persons and entities. Gemini produced records on December 21, 2020.

22. Gemini located two accounts potentially related to Virgil Capital LLC. Neither account showed any deposits or withdrawals, or any trading activity whatsoever.

Executed on December 22, 2020
Piedmont, California

/s/ Amanda L. Straub
Amanda L. Straub